+NEW YORK. SUNDAY, APRIL 9. 1911.-Copyright, 1918, by the Sun Printing and Publishing Association.

FORTY-SIX PAGES.

PRICE FIVE CENTS.

I. S. COURT HOLDS MINNESOTA LANS UNCONSTITUTIONAL.

State May Not Regulate Rates if Such Regulation Causes Confiscation or Affects Interstate Commerce Bates Shown Not to Have Been Exorbitant

MINNEAPOLIS, April 8 .- Judge Walter H. Sanborn, senior United States Circuit Judge of the Eighth Judicial Circuit, in an exhaustive opinion handed down in St Paul to-day decided the Minnesota rate cases against the members of the Minnesota State Railway Commission on the ground that the necessary effect of to burden and directly to regulate interstate commerce, to create unjust discriminations between localities in Minnesota and those in adjoining States, in violation of the commercial clause of the Constitution, and to take the properties of the railroad companies without just compensation, in violation of the Fourteenth Amendment to the Constitution,

M The case will be appealed to the Supp Court of the United States.

The suits were brought by stockholders of the Northern Pacific Railway Company, the Great Northern Railway Company and the Minneapolis and St. Louis Railroad Company against these companies, the Attorney-General and the members of the Railway and Warehouse | Cornell Then Made a Confession Which Commission of Minnesota to enjoin the reduction of the passenger rate in Minneota from three cents to two cents a mile he merchandise rates 20 to 25 per cent. and the commodity rates 7.37 per cent. The railroad companies had put al

modity rates, into effect, and the case were begun and tried after the effect of these reductions had become apparent. ludge Sanborn in his decision holds:

That the laws of the State reducing passenger rates 33 1-3 per cent. and educing commodity rates 7.37 per cent. are discriminatory and in violation of the Constitution of the United States.

That the Railway and Wareho Commission's order reducing general merchandise rates within the State is discriminatory and in violation of the Constitution of the United States. That a State may regulate intrastate

commerce in so far as it does not burden | together. nterstate commerce and no further. That the nation only through the national Congress can regulate interstate

That all State laws that regulate rates which laws affect or burden or regulate interstate commerce, are unconstitu-

That the unavoidable effect of the sweeping laws of Minnesota reducing and

in direct violation of the commerce clause of the Constitution. The basic facts that apply, as summed

and sweeping reductions of intrastate fares and rates in Minnesota made by the acts and orders considered was and is substantially to burden, directly to regustate commerce of the defendant companies and to create undue and unjust discrimination between localities in Minnesota and those in other States in viola tion of the commercial clause of the Con-

stitution. "The just compensation secured by the Fourteenth Amendment entitles the defendant railroad companies to a fair return upon the reasonable value of their property in Minnesota devoted to the sublic use of transportation. Such a eturn is just to the public as well as to the carriers.

the cost of reproduction now of the Minnesota properties of the defendant comanies devoted to the public use of transortation is more persuasive evidence of their values than the market value of their stocks and bonds or the original cost of their acquisition and construc-

Rate making looks to the future and s a legislative function. Rate judging. determining whether or not rates made are confiscatory, is a judicial function There is a presumption in the first instance that legislatures and commissions make reasonable and just rates, and clear proof is requisite to overcome it. But when, after fares and rates have been tried by actual use for months, after lenary proof of their effect and other facts determinative of the issue confiscaon vel non has been made before a master learned in the law who finds the facts. the legal or judicial presumption that his findings are just and right, while not onclusive, is superior to the original presumption that the rates were just and reasonable '

"Interest on the cost of reproduction of ailroad property at 4 per cent.per annum during one-half the time requisite to acquire and construct it is a necessary ex sense of reproduction and may be lawully allowed as such."

"A net income of 7 per cent. per annum upon the value of railroad property in Minnesota devoted to the public use of utitled under the Fourteenth Amendment to the Constitution.

# MASSACRE IN BURMA.

Two Englishmen and 48 Coolles Butchered by Abor Savages.

ble Despatch to THE SUN ALCUTTA, April 8. The report is conmed that Mr. Williamson, the British sistent political officer at Sadiya and ampur, in upper Burma, and a party inpanying him were murdered on the of Assam by Abor savages.

Williamson and Dr. Gregorson, acinied by fifty coolies, were ascend-Dihong River. They were unstrued and on a friendly mission when

e two white men and forty-eight of te confes were massuered. Two coolies sted and brought the news of the

Mexican Troops Slaughter American Band of Insurrectos.

CALEXICO, April 8 .- "Gen." Stanley Williams and the Americans under his com mand were practically annihilated tonight in a battle with Mexican Federal troops under command of Col. Mayor south of Mexicali. Williams was killed and those who followed him into the conflict against tremendous odds met the same fate or were taken prisoners.

It is said that nearly all his followers were young Americans, roving seekers of adventure. Williams himself was a deserter from the United fates Army, in which he was a quartermaster-sergeant

Yesterday Williams and his men raided the Cudahy ranch and the one owned by the California Mexican Land and Cattle Company, taking many mules and the reductions ordered was substantially horses. These were used when they left the wire to the train despatcher's office Mexicali this morning to carry extra at White Plains a message saying that his guns, ammunition and supplies. though there were only eighty-five men in the party they boldly marched away to meet the Mexican troops under Col. Mayet, who had halted his men at Pack- but the men were let go. ard Station, five miles southeast of Mexi-

It was Col. Mayot's plan to attack Mexicali to-morrow, but he was com-pelled to fight at Packard, at which point Williams had blown up a bridge to check his advance. Col. Mayot had between 400 and 500 men, comprising Diaz's famous Fighting Eighth" battalion, and several slaughtered in ruthless fashion. The Federal loss was heavy.

THOUGHT HE WAS DYING.

Told that he was dying following an peration for appendicitis, Arthur Cornell made a confession that prompted Max Wachter to sue his wife, Martha Wachter, for absolute divorce. The action was these reductions, except that on com- tried yesterday before Justice Maddox in a special term of the Queens county Supreme Court, Long Island City, Lawyer Robert H. Wickert appeared for Wachter. No one was present representing Mrs. Wachter and it developed during the testimony that she was away in Canada

Wachter gave his address as 655 Onder donk avenue, Ridgewood, and when Cornell took the witness stand he gave his address as 125 New Jersey avenue East New York. He then told of several occasions during the spring of 1908 on which he met Mrs. Wachter at a theatre in Brooklyn, after which they went away

"What prompts you to make this con fession?" asked Justice Maddox. "I was taken to Seney Hospital in

August, 1908," said the witness, "where an operation was performed for appen-dicitis. After the operation I was told I could not live. While I was in the hospital Mrs. Wachter called to see and this aroused the suspicions of wife's sister, Sarah Brazee. She said regulating rates is indirectly to discrimthere was something on my mind and I had better tell it before I died. I then told of my relations with Mrs. Wachter. and afterward I got well."

Cornell said he is living with his wife up in Judge Sanborn's opinion, follow:

The unavoidable effect of the general made a full confession to his wife. and they have two children. He also "Did you tell this woman you were

going to confess?" asked the court "No. I did not." "Did you tell her you had confessed?"

was through

Justice Maddox reserved decision

OUTFIELDER INTO RIVER.

Bennie Holden, Aged Six, Leaped for High Ball and Went Off Pier Saved. Six-year-old Bennie Holden of 400 East Sixty-third street, playing baseball on the city dump at the foot of East Seventy-first street late yesterday afternoon, lunged backward for a high ball. leaping in the air as he did so. Bennie had been fielding close to the string piece and his jump took him out into the East

The tide was hustling and Bennie came up a hundred feet from shore and well up stream. He could not swim, but his clothes buoyed him up for a moment. His playmates set up a shrill cry for help.

Two employees of the Dock Department, Daniel Sullivan of 1499 Lenox avenue and Richard Conners of 150 East 113th street, raced up stream on the wharves. By the time they had reached gladly answer to a summons. Seventy-third street Bennie was just

abreast of them.
Suinvan stipped out of his coat and telling Conners to get a rope, dived over-board. As he did so Bennie went down for the second time.

By the time Sullivan reached him the

boy was unconscious. Sullivan turned Bennie on his back, grasped him by the collar with one hand and swam for shore. collar with one hand and swam for sucre.
At this point the water cuts oue from the
shore with tremendous force and Sullivan
was hardly able to fight his way through
the eddy. When he got within twenty-five
feet or so of the shore Conners's rope

feet or so of the shore Conners's rope reached him.

Some one in the crowd began to work on Bennie, and Sullivan was rolled on a barrel to get the water out of him. Then Dr. Devan came dashing up from the Presbyterian Hospital. After half an hour Bennie's eyes opened and he sighed. He

### HELD UP BY HIS WIFE. Mrs. Holmes Had Peculiar Notions About

Her Rights Judge Alds Husband. Leveleth S. Holmes was before Justice Maddox in the Queens county Supreme transportation is not more than the fair Court yesterday on an action begun by return to which a railroad company is his wife to pay her \$107 for the support of their son, 13 years old.

> "I could pay her in two days," Holmes, who pleaded his own case, "but a few days ago when I had dinner with her in her own mother's home and tried to get her to sign a mortgage of \$1,000

to get her to sign a mortgage of \$1,000 for me she wanted me to pay her \$400 first. She held me up for \$400."

"What!" exclaimed the court.

"Yes, your Honor, she held me up for \$400 to sign a \$1,000 mortgage."

"Did you ask for two weeks? Well, I'll do better. I'll give you two months time. A woman to hold up a man in that fashion!"

fashion!"

Holmes lives at 481 Baltic street, Brooklyn, and with his brother runs a trucking business. After hearing Holmes's story Mrs. Holmes's attorney told the court he knew nothing concerning the mort gage incident. Justice Maddox advised the lawyer and Holmes to hold a conference, and later they reported that Holmes had agreed to pay the amount within a month. Mrs. Holmes's lawyer also informed the court that from what he could gather his client evidently was of the impression that she had the right to demand and collect her supposed dower rights in her hisband's property as the business went in fash and it is a disturbance when he came to its death. There was no evidence directly connecting the negroes lynched with Eason's death.

LAWRENCEVILLE, Ga., April 8.—Charles Hale was taken from jail and lynched by a mob here last night. He was accused of attacking a white woman.

PLORIDA-CUBA SPECIAL, 12:38 P. M. Atlanta Bectle 1:38 train ar. Jacksonville, 3:38 p. M. 2:36 train with observation car ar. Atlanta 3:48 P. M. 2:36 train with observation car ar. Atlanta 3:48 P. M. 191 ming Special. 2:38 I. M. 191 ming Special. 3:48 P. M. 191 ming Special are husband's property as the business

#### STATE LOSES R. R. RATE CASE WILLIAMS RAIDERS WIPED OUT. MURDER OF A STATION AGENT ABE RUEF'S BIBLE CLASS.

CHARLES H. CONKLIN OF CRO-TON LAKE FOUND DEAD.

Arriving Passengers Discovered His Body Last Evening-Place Had Been Robbed-His Son Telegraphs to Despatcher to Send Help There at Once.

Charles H. Conklin, the station agent at Croton Lake, a station on the Putnam division of the New York Central Rail road thirty-four miles north of New York, was shot and killed at about 8 o'clock last night. He was also the postmaster at Croton Lake and was about 55 years old. His son, Charles Conklin, Jr., sent over father had been shot. The police don't know who did the shooting. Two arrests were made in this city later in the evening. TO BACK UP LORIMER CHARGES.

Conklin was in his office at 7:35 o'clock ending a report to the despatcher. He shut off his key and took a commercial message from an engineer on the new aqueduct and proceeded to send it. The engineer was Thomas May of 717 Charles tell his wife that he would be home by 11 achine guns, and the Americans were o'clock. Conklin took the message, notwithstanding that the rules of the company allowed him to go home for the day at 7:30 P. M. He was still working at his long after the noon hour. It was said instrument when the 7-56 train for New York pulled out, taking May and a com- leaders outlining plans for his defence

That was the last seen of the station agent until about ten minutes later, when the evening train from New York paused to drop its passengers. Some of them good evening to Conklin, and to ask him why he was at work after hours. They found him lying on the floor. He had been shot three times. The office was had taken in during the day-amounting. the New York Central officials think, to bout \$100 was gone also. The appear ance of things was such as to make the observers figure that Conklin had put up good fight for the company's money fore the marauders shot him.

Charlie Conklin, who was in the habi of going to the station to walk home with his father, found the passengers in the office standing around his father's body. Charlie asked them if they had how to use the telegraph instrument. Charlie knows how to send a message

but he can't receive. So he sat down to he key, called for the despatcher's office at White Plains and sent this message: "My father has been held up and murdered. Send help."

He ticked this message of over and over again. He couldn't tell from the answer ing clicks whether or not his call had been picked up. The despatcher sent orders to the fol-

owing train, which doesn't regularly stop at Croton Lake, to slow up long enough to find out what happened. The passengers from the earlier train were still here and so was Charlie Conklin, but the conductor couldn't figure any better than they who had done the shooting.

A telegrapher, however, looked over the messages and found that the one filed by May was the last thing that Conkin had done, and they reasoned that May was one of the last persons who saw the station agent alive. So the call went out to the New York police to arrest May and Charles Herbig, his companion, when they got to New York. Except for one Italian who got off the train at Elmsford they were the only passenger by the 7:56 who got on at Croton Lake

The police of the West 152d street police station were on hand when the train reached 155th street. They found May and his companion with no trouble at all. The two aqueduct workers readily consented to go to the station with the police to await whatever action might be forthcoming. Later R. H. Burke, chief of the aqueduct police, came down from Croton Lake and agreed that May and Herbig knew nothing of the murder. They were allowed to go home. They said, though, that if they were wanted later they would

The country around Croton Lake is wild. The murderers could readily make off to the hills. There are many camps of Italians in the neighborhood and they could easily find shelter. The Coroner of Westchester county at Ossining thought that some aqueduct workmen, knowing that on Saturdays the receipts at Croton Lake are seven times as heavy as on other days, may have done the murder.

#### THREE NEGROES LYNCHED. Mob Takes Suspects From Jail and Hangs Them.

ELLAVILLE, Ga., April 8.—A squad of masked men entered the jail here at 3 o'clock this morning, got three negroes who were suspected of complicity in the killing of Newton Eason, a white man, carried them to the outskirts of the town, hanged them to trees and riddled their bodies with bullets.

The victims of the mob were Dawson Jordon, Charlie Picket and Murray Burton. The negroes had been in jail here since January 2, on which date Newton Eason was killed. The members of the mob told Cliff Baugh, the jailer, that they had a prisoner, and when he opened the door they seized him and made him unlock the cell doors.

The negroes had never had a commitment trial and were held upon the verdict of the Coroner's jury. Eason was killed in a negro store in what is called the Bottom" on January 2 last. All the witnesses to the killing were negroes. The evidence showed that Eason had no business in the negro store and that he was creating a disturbance when he came to

d the gather section of the factor of the fa

San Francisco Grafter Interests Fellow SAN FRANCISCO, April 8.-Abe Ruef.

who is serving a fourteen year sentence in San Quentin for bribery, has started an evening Bible class for convicts which promises to be popular.
Ruef found his two cellmates reading

trashy novels, so from dinner time unti the lights went out he talked to them about the Bible. They told others, and soon Ruef had

score of auditors. Now he has agreed to deliver a series of sermons in the prison chapel on Sundays. Ruef is an excellent talker. He says

the Bible has been his chief reliance in time of trouble. Ruef has been buying books of me hanics and agriculture for the prison

circulating library, and he has urged con-

victs to read them so that they may be prepared for useful work when discharged.

# Bank's Books Sald to Bear Evidence of \$100,000 Pund.

CHICAGO, April 8 .- The committee in vestigation of the Lorimer election scan-dal was brought to Chicago to-day.

While Senator Lorimer was preparing to return to Washington members of the street. West Hoboken. May wanted to Helm Senatorial committee, who had quietly come from Springfield, went into executive session at the Hotel La Salle Senator Lorimer remained closeted a the La Salle Street National Bank until he was in conference with his Illinois He left for Washington late this after-

Senator Lorimer, reached by telephone refused to discuss any charges in con-of the estate should remain under lock nection with his election. "I have noth-and key in the Matteawan Savings Pank ing to add to my earlier comment, which is that I will answer all charges on the floor ficers of the bank shall receive any of the of the Senate," said he. "I am not disturbed over anything that is being said. I am going back to Washington. There in disorder. The money which Conklin all may hear my answer when the time comes

That the real crisis is rapidly approaching for the Senator was indicated by the finding of evidence which would have direct bearing on the charges of Clarence S. Funk, the International Harvester Company manager, who told the Helm committee of a \$100,000 election fund. It wa said that books and records of a bank would be used in support of the Funk

Meantime Sergeant at Arms Zinn of the done anything about it and they said Helm committee and five assistants were they hadn't because they didn't know secretly rounding up rich packers and bankers' and others who will be ques-tioned by the committee.

# FRENCH SECRETS STOLEN.

Twenty Foreign Office Paners Involved in Trial of Spice-Paris Worried. Special Cable Despatch to THE SUN.

PARIS, April 8 .- An investigating Magis rate began to-day the interrogation of Rouet, the employee of the Foreign Office. Maimon, the Anglo-Egyptian journalist and Paillez, the latter's secretary, who are alleged to have secured important locuments in connection with the Bagdad Railway and affairs in Morocco and sold them to Germany. The men are accused

of espionage. some twenty documents which has been seized at the house of Maimon. Rouet asserted that he supplied only four of

the Bagdad Railway. If this be true it shows that Maimon had other sources from which he obtained morning. State papers. The question as to what documents have been copied in the Foreign Office is arousing great anxiety. The Government is evidently making an effort to create the impression that they are limited to Asia Minor and Persian

railway matters. This is confirmed by two leakages which have already been traced, namely. the publication in London of the Russo-German agreement after the meeting Potsdam of Emperor William and the 'zar and the publication by the Temps on February 2 of messages between France and Turkey while they were negotiating in regard to French railway concessions in Anatolia and Albania. It is denie that Rouet could possibly have had acess to the Spanish secret treaty of 1904 Maimon is said to have been born at origin. He has declared that he is a British citizen. This statement cannot be

### KID M'COY'S LICENSE GONE. Appellate Division Reverses Justice Brady

Supreme Court Justice Brady's refusa of the application of State Excise Commissioner Clement that the liquor license for Kid McCoy's Hotel Normandie raths keller, held in the name of Flise Ruch! be revoked on the ground that the place is disorderly was reversed yesterday by the Appellate Division of the Supreme Court and the petition was granted.

Justice Scott, writing the decision, noted that the trial Judge had accepted the petitioner's testimony as substantially true, but considered that it fell far short of establishing acts of disorder so genera as to demand a revocation of the license. He remarked that the place was under the management of an "ex-prizefighter and said that certain women in the place

conducted themselves in "the frankest and most disgusting maner."

Justice Scott said the in the face of such evidence it was of little moment that certain apparently respectable persons visited the place or that certain policemen had never happened to see anything disorderly and that the manager and his employees said they had never observed any indelicate or improper actions. the latter did not see it was because they would not.

As to Justice Brady's suggestion the place was no worse than many other hotels, restaurants or places of public resort, and that no matter how carefully managed a place might be it would be visited at times by immoral persons Justice Scott said:

"Of course we are not influenced by such absurd suggestions. If such prac-tices as were permitted here were permitted in any other place the liquor li-

# WAS RICH AND NO ONE KNEW IT

FRUGAL OLD FISHKILL BACHE-LOR DIED A MILLIONAIRE.

After William H. Badeau Was Gone, Leaving No Will, They Found \$880,000 and He Owned Much More Property.

POUGHEREPSIE, April 8.-Living so rugally that his neighbors never dreamed that he was wealthy, the death of William H. Badeau of Fishkill, at the age of 88, has brought out the fact that he possessed a large fortune. In his safe deposit vault at the Matteawan National Bank Mr. Badeau had bonds and mortgages enough to fill a good sized trunk. A list of these securities and their value is being prepared which shows that the old man owned personal property valued at \$550. 000, and in addition to this it is expected that his holdings in realty will foot up many thousands more. It would not be surprising if he was worth more than a million

Mr. Badeau never married and left no will. His nearest next of kin is a brother. Joseph N. Badeau of Fishkill, and a sister, Mrs. Matilda S./ Robinson of Cold Spring. Both are in moderate circumstances. Joseph N. Badeau is a machinist who has been employed for many years at the Fishkill machine works.

Surrogate Hopkins to-day appointed La Tourette Brinckerhoff administrator of William H. Badeau's estate, fixing bonds at \$200,000. It was in addition stipulated that \$483.181 of the securities principal or interest.

Former County Judge Phillips, attorney for the heirs, said to-day that while William H. Badeau's relatives believed he was comfortably off, they were not prepared for the revelation that he pos essed such a large fortune.

"Mr. Badeau was not a man of conspic ious business ability," said Judge Phillips. "He was not interested in any large commercial enterprise. He acquired his money by saving it and investing it in life. He was for years in receipt of an income of between \$25,000 and \$80,000. but he lived so modestly that nobody suspected it. At the same time he was not miserly and gave modest sums frequently

to local charities and benevolences."

For a number of years Mr. Badeau had travelled for the firm of E. & H. Anthony & Co., dealers in photographic supplies He spent much time in Paris and other art and commercial centres abroad Twenty-five years ago he retired. Al-though he had never been west of Buf-falo, most of Mr. Bendera to due was invested in Western bonds and mortgages. He was vice-president of the Hdden, Ia., National Bank, which he had never seen, and owned a large amount of stock in it.

# LIPPINCOTT A SUICIDE.

Coroner Finds Too That Publisher Was

PHILADELPHIA, April 8 .- A verdict of suicide was returned by the Coroner's jury to-day in the case of Craige Lippinthese documents, all of which concerned cott, president of the publishing firm of J. B. Lippincott Company, who was found dead in his home on Thursday

> The verdict was rendered after evidence had been given by Oscar Stewart. a negro valet, and George McKeever, a deputy coroner. The valet told of finding Lippincott's body and a revolver he had bought three days before on a table within a few inches of his hand. A wound near the right temple showed where the bullet had entered.

Deputy McKeever said the only motive he could give for suicide was that Mr. Lippincott had been a sufferer from stomach trouble.

Coroner Ford told the jury that Dr Remig, one of his physicians, had reported that the revolver had been held within an inch of Mr. Lippincott's head when removed all doubt as to whether the shooting had been accidental.

The Coroner said further that his investigation had failed to disclose that Mr. Lippincott was mentally deranged at any moment," said Baker. when he shot himself. "There is no evidence to show," he said, "that this man the night." at any time was even slightly deranged."

#### BOXING BENEFIT STOPPED. Management Said the Mayor Approved but the Police Stepped In.

The Brighton Beach Athletic Club had arranged to hold a benefit last night at the home of the club on West Seventeenth street, Coney Island. Circulars had been sent out saying that the returns from the benefit would go for the fund for the relief of the families of those lost in the Asch Building fire and several star boxing

bouts were on the programme. Among the fighters to appear was Brown. The management announced that a letter had been sent to the Mayor asking for his approval and that a favorable

reply had been received. As the first two fighters stepped into the ring Inspector Dooley of the Coney Island police and Capt. Robinson jumped between them. They announced that the benefit was off and that they had warrants for the arrest of several of the fighters that were to hox. A warrant was served on Henry Phillips, a Coney Island boxer, and he was taken to the police station and later admitted to bail.

The spectators waited while two fighters went through a burlesque bout and then filed out disgruntled. The backers of the club say that they received unfair treat-ment at the hands off the police, as it was a simon pure benefit that they had arranged.

Type Aereplanes.

Special Cubic Despatch to TEE SUN.

BERLIN, April 8.—Wilbur Wright before leaving to-day for Paris told TEE SUN's correspondent that the German Government had purchased one of the latest types of the Wright machine.

And the arrest of Andrews followed to-day. No bail was allowed after the hearing before Justice H. S. Perry, but business associates of the accused were told that they might see him for the purpose of arranging business details requiring immediate attention in the Flordin Company, of which Andrews is vice-precident.

# YOAKUM HURRIESTO DAUGHTER CAN'T BUDGE PRINZESS IRENE Special Train Bringing Him From Texas

FORT WORTH, Tex., April 8. B. F. Yoakum of New York, chairman of the board of the Frisco Railroad system, is hurrying to New York to-night to his sick daughter and her baby.

Advices from Denison to-night say Worth of Securities in His Strong Box that Yoakum arrived there on a special train on the Missouri, Kansas and Texas Railroad at 3 o'clock, changed engines and inspected cars in three minutes and started to St. Louis. Fifty miles an hour speed is maintained.

Mr. Yoakum abandoned his inspection of the Frisco lines in Texas upon receipt of news of the illness.

### COURT CABAL AGAINST SAGAN. That's the Reason He's Passing Along the

Talleyrand Duchy, He Says. Special Cable Despatch to THE SUN. Paris, April 8.-Hélie, Duke de Sagan and provisional Duke de Talleyrand-Périgord, told THE SUN corresponden to-day that the report that he linquished the investicure of the Talleyrand-Périgord title in favor of his son Charles Howard Jason, was premature. The matter awaits the return of Sagan's brother, the Duke of Valencay, who is now on a yachting trip in the Red Sea.

When the final arrangements for the investiture have been completed the the steamer yesterday. The real fight Count Kanitz, being named the feudal has begun for the life of the vessel on the tutor for the boy, will take the oath of part of the owners, their ship's crew, the fidelity to the Grand Duke of Silesia, who is, in fact, the King of Prussia and German Emperor. The boy will remain French.

against him at the Berlin court, where Blue Point life saving stations. an endeavor was made to pursuade the Kaiser to refuse to sign the investigure It is for this reason, he says, that he acthe investiture to his son.

### HENRY S. PAGE THROWN AGAIN. Amateur Steeplechase Rider Unconscious

After a Fall at Meadow Brook Course. HEMPSTRAD, L. J., April 8.-Henry S. Page, who is one of the best known amateur cross-country riders in this country. and who has probably had more accidents and broken bones than any other rider in this country, met with another close call which took up a position almost directly this morning, and for a time it was feared astern of the Frinzess. The wrecking

that he had been killed. Mr. Page has several hunters and good securities. The size of his estate season. He personally oversees the work of the Relief so that the hawser she held s explained by the unusual length of his of putting the finishing touches to the pulled quartering. The John J. Timmins horses' condition. This morning he was riding Far West over the Meadow Brook Club course and in clearing the Liverpool Far West tipped the top rail and came down heavily. Mr. Page was thrown against the wing of the jump and struck on his head. He was rendered unconscious. After a few minutes he was resuccitated and taken to his home, where Dr. L. H. Lancheart dressed the cuts and ruises about his head and shoulders.

#### OFF FOR THE HIMALAYAS. irs. Fanny Bullock Workman is Deter-

mined to Beat Records This Trip. Special Cable Despatch to THE SUN.
PARIS, April 8. Mrs. Fanny Bullock Vorkman, the noted mountain climber, has left Bombay for her sixth Himalayan

Her friends here believe she is deermined to break all records on this

# S. Minister Reports Attempt to As-

WASHINGTON, April 8 .- An unsuccessful plot to seize the naval arsenal at Lisbon despatch received at the State Department from George L. Lorillard, Charge

d'Affairs at Lisbon. Dissatisfied payal officers and men were the promoters of the revolt. The situation, Mr. Lorillard says, is quiet and many persons suspected of complicity in the movement have been placed Inspector for this district and himself

# under arrest. TOM JOHNSON SAYS GOOD-BY.

Dying Man. CLEVELAND, April 8.-Tom L. Johnson, lying in a state of semi-stupor in his room at the Whitehall to-day, marshalled all his forces of mind and will to bid a final farewell to his family and friends

Newton D. Baker told the newspaper men early in the evening that Mr. Johnson was "very, very low. He may pass away fering little pain, but will hardly outlive

A faint smile and a barely audible whisper came from Johnson as each member of the family entered the room. They were sent in one at a time, each to say farewell alone with the dying man.

Four of Canada's Northwest Corps Have Not Been Seen Since December. that has been scouring the nearby districts for a mounted police patrol of four men who set out from Herschel Island for Edmonton in December and have not been heard from returned to this city to-day with no tidings of the missing

patrol consisted of Sergt. Fitz-Constables Carter, Martin and Grave fears are entertained that

### HELD ON MURDER CHARGE. Pistol Near Dead Man's Body Leads to

Business Man's Arrest. WARREN, Pa., April 8. - John M. Andrews, prominent business man and former superintendent of the Warren Water company, was arrested this afternoon charged with the murder of Emile Amann, field superintendent of the water company, who was found dead in a field near the water works reservoir on the morn-

A BEGINNING MADE OF TAKING THE CARGO OUT OF HER.

#### Hoping for an Onshore Blow to Deeper the Water About Her-Passengers Land All Happy, and All Sorry for the

Skipper's Bad Luck-Baggage Comes.

The stranded Prinzess Irene, caught on the sands of Lone Hill bar, off Fire Island, lay last night in practically the same position. Some observers thought she might have worked inshore a very little. The wind last night had got around to the southeast and the sea rose slightly under its influence. Those having the safety of the big liner at heart were hoping that the breeze would freshen considerably and even that there would be a pretty good blow from offshore to-day. While there might be some danger in such a blow it nevertheless would raise the water about the Prinzess and loosen her bed and would make by so much the easier the task of pulling her from her

bed in the soft sands. The stewardesses were transferred from wrecking force of about 200 and as many more in the Government uniforms from De Sagan complained that the trouble the revenue cutters Mohawk and Seneca about the duchy arose from a cabal and the Point o' Woods, Lone Hill and

The cutter Seneca's valuable hawser lies on the bottom, having been cut adrift cepted the arrangement of transferring by her wheel in the first night's work. The wind was fresh from the east at midnight last night and a heavy sea was making.

An effort was made at high tide vesterday afternoon to free the ship. Two kedges had been planted astern of her, then hawsers running to the after capstan of the Prinzess. Another hawser was given to the wrecking tug Relief. tug I. J. Chapman took another hawser and moved to a point a little to the south went over behind the Relief and a line was passed from the Relief to her, so that she and the Relief could pull tandem. Then the Prinzess Irene started her own engines and everybody pulled. From the shore the water could be seen churning up around the propellers of the ship and of the tugs, but so far as could be seen the Prinzess did not move an inch. The effort was kept up until the tide began to fall and then was abandoned until high water this morning.

# A LITTLE CARGO TAKEN OFF.

Early yesterday morning a lighter went alongside the Prinzess and took off the baggage. The baggage disposed of, the cargo booms were rigged to the forward mast and hatches were removed. A wireless message was sent to the line in New York: "Please send lighters as quickly as possible. Position favorable." o'clock yesterday afternoon another was put off, but the work was delayed by the freshening breeze. The lighter started for New York at 10 o'clock with

only a partial load. Reporters from the beach were able to get aboard the Prinzess Irene yesterday and assassinate the Minister of Marine Capt. F. A. Kuwnick, pier superintendent took place yesterday, according to a for the North German Lloyd, spoke optimistically of the ship's chances. Her position was favorable, he said, and he thought she could be pulled from the

sand in three days at the latest.

INSHORE CURRENT SUSPECTED Albert Ketcham, United States Coas a former coasting captain, had a talk with Capt. Peterssen. Capt. Peterssen said he had been in touch with the Nan-Members of Family Take Final Leave of tucket lightship on Tucsday. This light is 377 miles from Sandy Hook. The Lone Hill light is, roughly, forty miles from Sandy Hook. Somehow, that 3,300-odd miles, Capt. Peterssen said. his ship had got half a point off her course. After hearing Capt. Peterssen's story Inspector Ketcham said he could not understand how the Prinzess Irene had found herself where she now is lying. One of the possible explanations suggested by Inspector Ketcham was that a stiff, uncharted current setting inshore

had forced the ship from her course. Lieut. Atlee, inspector in charge of the Long Island life saving district, cruised around the stranded vessel yesterday afternoon in the derelict destroyer Seneca getting a line on the lay of the vessel, and FEARS FOR POLICE PATROL. men in boats from the Seneca and from the revenue cutter Mohawk took soundings to determine the exact position and extent of the sand spit. Peter Ritter, a member of the coast survey, came on and took measurements showing the position of the ship. He found it just 3.994 feet from the ship's prow to the

# flagpole at the Lone Hill station.

ANOTHER PULL THIS MORNING Another try at releasing the imprisoned ship will be made about 4 o'clock this morning. If this is unsuccessful it is feared that it will be several days before she is freed, unless a really stiff gale below out the work. Plans were made yesterday for getting down to business to-day the matter of lightering the cargo. Until the cargo is taken off those pulling at the ship scarcely expect to budge her A considerable amount of the cargo has been brought up from below and piled

on deck ready for the lighters to-day. ing of January 28.

The only clue found near the body was a revolver, three bullets from which had lodged in the dead man's head. This revolver was declared at the inquest to the Lone Hill station and one from the the Lone Hill station and one from the have been the same or similar to one which had been presented to Andrews by William Allan Harrison, an attorney for the State Railroad Commission.

Upon this clue detectives went to work and the arrest of Andrews followed to-

the steamship were in any danger. JOLLY ON THE BESCUE SHIP. The novel voyage of the North German Lloyd rescue steamship Prinz Friedrich Wilhelm to the unusually stranded Prinzes